



# CITY OF PELLA

## CITY COUNCIL OFFICIAL MINUTES

January 19, 2021

### **A. CALL TO ORDER BY MAYOR AND ROLL CALL**

The City Council of the City of Pella, Iowa, met in regular session at the Public Safety Complex (614 Main Street) at 6:00 p.m., Mayor Don DeWaard presiding. Council members present were: Mark De Jong, Liz Sporrer, Calvin Bandstra, Bruce Schiebout, Dave Hopkins. Absent: Lynn Branderhorst.

City Administrator Mike Nardini, City Clerk Mandy Smith, and five additional staff members were present in person. Due to heightened public health risks associated with the COVID-19 pandemic, this meeting was broadcast via conference call. One staff member and six members of the general public attended the conference call.

### **B. MAYOR'S COMMENTS**

1. Announce no Policy and Planning meeting will follow the regular Council meeting.

2. Approval of Tentative Agenda.

Item B-4/L-1 was pulled from the agenda.

Bandstra moved to approve the tentative agenda as amended, seconded by Sporrer.

On roll call the vote was: AYES: 5, NAYS: None. Motion carried.

3. Appointment of Eric Recker to the Airport Committee.

Hopkins moved to approve, seconded by Sporrer.

On roll call the vote was: AYES: 5, NAYS: None. Motion carried.

BACKGROUND: Mayor DeWaard would like to appoint Eric Recker to the Airport Committee. Eric has a private pilot certificate and truly enjoys general aviation. He is in the process of working towards his instrument certification. Eric rents planes from Classic Aviation and is very interested in the future of aviation in Pella and the surrounding area. Eric is a dentist and owner of Recker Dental Care in Pella and he will soon be moving into a remodeled historic home with his family at 504 Franklin Street. If approved, Eric's six-year term would expire on January 1, 2027.

ATTACHMENTS: None  
REPORT PREPARED BY: Public Works Department  
REVIEWED BY: City Administrator, City Clerk  
RECOMMENDATION: Approve the appointment

4. Item pulled from the agenda.

### **\*PUBLIC FORUM (for anyone wishing to address Council regarding agenda items)**

No comments were received.

### **C. APPROVAL OF CONSENT AGENDA**

De Jong moved to approve the consent agenda, seconded by Hopkins.

On roll call the vote was: AYES: 5, NAYS: None. Motion carried.

The following items were approved:

1. Approval of Minutes

a. Official Council Minutes for January 5, 2021

2. Petitions and Communications

a. Renewal of Class C Liquor License with Class B Wine Permit and Sunday Sales for Pella Opera House

BACKGROUND: The Pella Opera House Commission, DBA Pella Opera House at 611 Franklin Street, has applied for renewal of their class C liquor license with class B wine permit and Sunday sales privileges. The term of the new license is 12 months and, if approved, would expire on January 30, 2022. The application has been completed online with the state, and staff is recommending approval.

ATTACHMENTS: Application  
REPORT PREPARED BY: City Clerk  
REVIEWED BY: City Administrator  
RECOMMENDATION: Approve renewal

b. Renewal of Class C Liquor License with Outdoor Service and Sunday Sales for The Cellar Peanut Pub

BACKGROUND: The Cellar Peanut Pub, located at 629 Franklin Street, has applied for renewal of their class C liquor license with outdoor service and Sunday sales privileges. The term of the new license is 12 months and, if approved, would expire on March 3, 2022. The application has been completed online with the state and is pending dram shop certification. Staff is recommending approval pending dram shop certification.

ATTACHMENTS: Application  
REPORT PREPARED BY: City Clerk  
REVIEWED BY: City Administrator  
RECOMMENDATION: Approve renewal pending dram shop certification

- c. **Renewal of Class E Liquor License with Class B Wine Permit and Class C Beer Permit for Fareway #995**  
 BACKGROUND: Fareway Stores, Inc. #995, located at 2010 Washington Street, has applied for renewal of their class E liquor license with class B wine permit and class C beer permit (carryout beer). The term of the new license is 12 months and, if approved, would expire on March 21, 2022. The application has been completed online with the state, and staff is recommending approval.  
 ATTACHMENTS: Application  
 REPORT PREPARED BY: City Clerk  
 REVIEWED BY: City Administrator  
 RECOMMENDATION: Approve renewal
- d. **Renewal of Class E Liquor License with Class B Wine Permit, Class C Beer Permit, and Sunday Sales for Casey's General Store #2694**  
 BACKGROUND: Casey's Marketing, DBA Casey's General Store #2694 located at 2421 Washington Street, has applied for renewal of their class E liquor license with class C beer permit (carryout beer), class B wine permit, and Sunday sales privileges. The term of the new license is 12 months and, if approved, would expire on March 19, 2022. The application has been completed online with the state, and staff is recommending approval.  
 ATTACHMENTS: Application  
 REPORT PREPARED BY: City Clerk  
 REVIEWED BY: City Administrator  
 RECOMMENDATION: Approve renewal

**D. \*PUBLIC HEARINGS**

1a. **Public Hearing on the East Interchange Infrastructure Improvements (Lift Station) Project Bids.**

No written or oral comments were received.

De Jong moved to close the public hearing, seconded by Hopkins.

On roll call the vote was: **AYES: 5, NAYS: None. Motion carried.**

BACKGROUND: This resolution approves the plans, specifications, form of contract, estimate of costs, accepts bids, and awards the contract for the East Interchange Infrastructure Improvements (Lift Station) project. As background, this project consists of all labor, material, and equipment to construct a submersible lift station and associated improvements and miscellaneous associated work, including cleanup. The lift station is located on 250th Avenue south of Iowa Highway 163, as outlined on the attached map.

The bid opening for the project was held on January 13, 2021; eight total bids were received:

Contractor	Location	Bid
Synergy Contracting, LLC	Altoona	\$696,709.00
Graff Excavating	Toledo	\$805,850.00
Boomerang Corporation	Anamosa	\$857,282.50
Vanderpool Construction, Inc.	Indianola	\$869,644.00
On Track Construction, LLC	Nevada	\$924,824.00
Cushman Excavation	Harvey	\$959,001.00
Corell Contractor Inc	West Des Moines	\$1,017,365.00
J&K Contracting	Urbandale	\$1,066,106.60

After reviewing the bid proposals and checking references, Veenstra & Kimm, the project engineer, recommends awarding the contract to the lowest responsive, responsible bidder, Synergy Contracting in the total amount of \$696,709. The engineer's opinion of probable costs for this project was \$819,310. Staff is in agreement with the engineer's recommendation.

If approved, below is an overview of the timeline for this project:

February 28, 2021	Notice to proceed (approximate)
September 1, 2021	Final completion (approximately 180 calendar days)

In summary, staff is recommending approval of this resolution which approves the plans, specifications, form of contract, estimate of costs, accepts bids, and awards the contract for the above referenced project to Synergy Contracting in the total amount of \$696,709. The resolution also gives the Public Works Director authorization to issue the notice to proceed once the contract, bonds, insurance certificates, and appropriate permits are in proper order and fully executed.

ATTACHMENTS: Resolution, Map, Engineer's Recommendation, Bid Tabulation  
 REPORT PREPARED BY: Public Works Department  
 REVIEWED BY: City Administrator, City Clerk  
 RECOMMENDATION: Approve resolution

1b. **Resolution No. 6235 entitled, "RESOLUTION APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT, ESTIMATE OF COSTS, RECEIVING OF BIDS, AND MAKING AWARD OF CONTRACT FOR THE EAST INTERCHANGE INFRASTRUCTURE IMPROVEMENTS (LIFT STATION) PROJECT."**

Hopkins moved to approve, seconded by Sporrer.

On roll call the vote was: **AYES: 5, NAYS: None. Motion carried.**

**E. PETITIONS & COMMUNICATIONS**

1. **Official Newspaper Designation for 2021.**

De Jong moved to designate The Des Moines Register as the City of Pella's Official Newspaper for 2021, seconded by Schiebout.

On roll call the vote was:

AYES: 4 (De Jong, Schiebout, Hopkins, Sporrer)

NAYS: 1 (Bandstra)

Motion carried.

BACKGROUND: Iowa Code requires cities to designate an official newspaper for legal publications on an annual basis. As background, in January of 2020 the City Council designated the Pella Chronicle as the official newspaper for 2020 legal publications. After the Pella Chronicle ceased operations in May, Council designated the Des Moines Register as the official newspaper for the remainder of 2020.

Iowa Code Section 618.3 outlines four requirements that must be met in order to be designated as an official newspaper for legal publications.

Those requirements include:

1. Is a newspaper of general circulation that has been published at least once a week for at least fifty weeks per year within the area and regularly mailed through the post office of entry for at least two years.
2. Has a list of subscribers who have paid, or promised to pay, at more than a nominal rate, for copies to be received during a stated period.
3. Devotes at least twenty-five percent of its total column space in more than one-half of its issues during any twelve-month period to information of a public character other than advertising.
4. Is paid for by at least fifty percent of the persons or subscribers to whom it is distributed.

Both the Des Moines Register and the Oskaloosa Herald have requested to be the City of Pella's official newspaper for 2021. Staff consulted with the City Attorney who has determined that the Oskaloosa Herald does not currently meet the first requirement outlined above as they have been in circulation for less than one year within the City of Pella. Therefore, the City Attorney is recommending designating the Des Moines Register as the official newspaper for 2021 legal publications as they currently are the only newspaper clearly meeting all four requirements outlined in Iowa Code Section 618.3, as outlined above. Finally, it is important to note that the City of Knoxville and Marion County have both designated the Des Moines Register as their official newspapers for 2021 legal publications as well.

ATTACHMENTS: None  
REPORT PREPARED BY: City Clerk  
REVIEWED BY: City Administrator, City Attorney

## **F. PLANNING & ZONING ITEMS** – None

## **G. ADMINISTRATION REPORTS** – None

## **H. RESOLUTIONS**

1. Resolution No. 6236 entitled, "RESOLUTION APPROVING CONSTRUCTION CONTRACT AND BOND FOR THE OUTSIDE DROP SERVICE EQUIPMENT AND INSTALLATION."

Schiebout moved to approve, seconded by De Jong.

On roll call the vote was: AYES: 5, NAYS: None. Motion carried.

BACKGROUND: This resolution approves the construction contract and performance bond with Excel Utility Contractors for the Outside Drop Service Equipment and Installation project. As background, on January 5, 2021, Council awarded a contract for this project to Excel Utility Contractors in the amount of \$1,273,075.56.

As further background, this project generally consists of the installation of a conduit from the public right of way and installation of a service drop inside the conduit from a subscriber terminal to the customer premises. Staff anticipates there will be approximately 2,000 service drop installations which will be completed by October 31, 2021.

In summary, the resolution under consideration approves the construction contract and performance bond with Excel Utility Contractors. It is important to note that the City Attorney has reviewed these documents and staff is recommending approval.

ATTACHMENTS: Resolution, Contract  
REPORT PREPARED BY: City Administration  
REPORT REVIEWED BY: City Administrator, City Clerk  
RECOMMENDED ACTION: Approve resolution

2. Resolution No. 6237 entitled, "RESOLUTION APPROVING ORDERING THE PREPARATION OF PLANS AND SPECIFICATIONS, FORM OF CONTRACT, NOTICE OF HEARING AND NOTICE OF LETTING, SETTING DATE FOR PUBLIC HEARING, AUTHORIZING THE TAKING OF BIDS, AND AUTHORIZING BID OPENING FOR THE KIWANIS PARK PHASE I SITE IMPROVEMENTS PROJECT."

Sporrer moved to approve, seconded by Bandstra.

On roll call the vote was: AYES: 5, NAYS: None. Motion carried.

BACKGROUND: This resolution establishes March 2, 2021 as the public hearing date and authorizes staff to seek bids for the Kiwanis Park Phase I Site Improvements project. As background, Council approved a partnership agreement with Wonder Spelen on September 17, 2019. The purpose of this agreement was to construct an all-inclusive playground, off-street parking, restroom facilities, and sidewalks at Kiwanis Park. The agreement states that the improvements will be constructed, owned, and maintained by the City with the City contributing \$320,000 to the project and Wonder Spelen funding the remaining cost of the project.

The project engineer, Snyder & Associates, will handle the bid process and provide construction phase services. The engineer's opinion of probable costs is \$1,120,500.

If approved, the project's critical dates are:

February 17, 2021 Bid letting  
March 2, 2021 Public hearing to receive bids and award of contract  
March 8, 2021 Notice to proceed (approximate)  
October 31, 2021 Final completion

Contract documents are on file in the Community Services office.

ATTACHMENTS: Resolution, Notice of Hearing, Notice to Bidders, Opinion of Probable Costs  
REPORT PREPARED BY: Community Services Department  
REPORT REVIEWED BY: City Administrator, City Clerk  
RECOMMENDED ACTION: Approve resolution

3. Resolution No. 6238 entitled, "RESOLUTION SETTING DATES OF A CONSULTATION AND A PUBLIC HEARING ON A PROPOSED AMENDMENT NO. 1 TO THE LELY URBAN RENEWAL PLAN IN THE CITY OF PELLA, STATE OF IOWA."

Schiebout moved to approve, seconded by Sporrer.

On roll call the vote was: AYES: 5, NAYS: None. Motion carried.

BACKGROUND: This resolution establishes March 2, 2021 as the public hearing date to consider amendment no. 1 to the Lely Urban Renewal Plan. As background, in 2019, Council adopted the Lely Urban Renewal Plan (URP) for the purpose of stimulating, through public involvement and commitment, private investment in new commercial and industrial development. The initial development included in the URP is a 65-acre industrial park, which would be home to Lely's new North American headquarters. Lely North America is a subsidiary of Lely Industries (Maasluis, Netherlands) and is a world leader in robotic milking systems. Overall, the Lely corporate framework encompasses activity in more than 40 countries and employs 1,300 people worldwide, including 53 employees within our community.

As further background, Lely is planning on constructing a 100,000 square-foot facility to accommodate additional manufacturing, office, and training space. The cost of the development is expected to be approximately \$22 million and will allow Lely to provide 15 new jobs within our community. Since 2019, the project has progressed, presenting more precise timing to construct the \$8 million of minimum improvements and updated cost estimates for public improvements. As a result, amendment no. 1 makes the following changes to the estimated public improvement costs:

	Original URP	Amendment No. 1
Sanitary sewer improvements	\$ 750,000	\$ 850,000
Water main improvements	370,000	800,000
Rural road upgrade	400,000	450,000
Total	\$ 1,520,000	\$ 2,100,000

Additionally, this amendment extends the completion date for the required minimum improvements from May 31, 2021 to December 31, 2021 to more closely align with the construction schedule.

Under Iowa Code, the City is required to hold a consultation with all affected taxing entities prior to amending urban renewal areas; therefore, staff is recommending approval of this resolution which sets February 11, 2021 as the consultation date for affected taxing entities. Furthermore, this resolution establishes March 2, 2021 as the public hearing date for consideration of this proposed amendment no. 1 to the Lely Urban Renewal Plan.

ATTACHMENTS: Resolution, Amendment No. 1 to Lely Urban Renewal Plan

REPORT PREPARED BY: City Administration

REVIEWED BY: City Administrator, City Clerk

RECOMMENDATION: Approve resolution

#### **I. ORDINANCES** – None

#### **J. CLAIMS**

1. Abstract of Bills No. 2071.

Schiebout moved to approve, seconded by De Jong.

On roll call the vote was: AYES: 5, NAYS: None. Motion carried.

#### **K. OTHER BUSINESS / \*PUBLIC FORUM (any additional comments from the public)**

No comments were received.

#### **L. CLOSED SESSION**

1. Item pulled from the agenda.

#### **M. ADJOURNMENT**

There being no further business claiming their attention, Bandstra moved to adjourn, seconded by Hopkins.

On roll call the vote was: AYES: 5, NAYS: None. Motion carried.

Meeting adjourned at 6:31 p.m.